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15	UNITED STATES DISTRICT COURT			
16	SOUTHERN DISTRICT OF CALIFORNIA			
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17	TRAVIS WILKERSON, ANDREW	Case No	. 12cv2994 WQH (BGS)	
	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,	) ) JOINT S	. 12cv2994 WQH (BGS) TATEMENT OF THE	
17	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,	JOINT S CASE	TATEMENT OF THE	
17 18	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,  v.	JOINT S CASE Judge: Ct. Rm:	TATEMENT OF THE  Hon. William Q. Hayes 14B	
17 18 19	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,  v.  CITY OF SAN DIEGO, KEVIN ARMENTANO, OFFICER	JOINT S CASE Judge:	TATEMENT OF THE  Hon. William Q. Hayes	
17 18 19 20	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,  v.  CITY OF SAN DIEGO, KEVIN ARMENTANO, OFFICER MINTER, OFFICER MINTER, OFFICER SHUMATE, AND DOES 1-	JOINT S CASE Judge: Ct. Rm:	TATEMENT OF THE  Hon. William Q. Hayes 14B	
17 18 19 20 21	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,  v.  CITY OF SAN DIEGO, KEVIN ARMENTANO, OFFICER MENDENHALL, OFFICER MINTER, OFFICER SHUMATE, AND DOES 1-20,	JOINT S CASE Judge: Ct. Rm:	TATEMENT OF THE  Hon. William Q. Hayes 14B	
17 18 19 20 21 22	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,  v.  CITY OF SAN DIEGO, KEVIN ARMENTANO, OFFICER MINTER, OFFICER MINTER, OFFICER SHUMATE, AND DOES 1-	JOINT S CASE Judge: Ct. Rm:	TATEMENT OF THE  Hon. William Q. Hayes 14B	
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17 18 19 20 21 22 23 24 25	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,  v.  CITY OF SAN DIEGO, KEVIN ARMENTANO, OFFICER MENDENHALL, OFFICER MINTER, OFFICER SHUMATE, AND DOES 1-20,	JOINT S CASE Judge: Ct. Rm:	TATEMENT OF THE  Hon. William Q. Hayes 14B	
17 18 19 20 21 22 23 24 25 26	TRAVIS WILKERSON, ANDREW HARLIN and VICTORIA GARCIA,  Plaintiffs,  v.  CITY OF SAN DIEGO, KEVIN ARMENTANO, OFFICER MENDENHALL, OFFICER MINTER, OFFICER SHUMATE, AND DOES 1-20,  Defendants.	JOINT S CASE Judge: Ct. Rm:	TATEMENT OF THE  Hon. William Q. Hayes 14B	

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1	Pursuant to the Court's instructions, the parties submit this joint statement for			
2	the Court to read to the jury at the outset of the trial.			
3	Dated: January 15, 2015	JAN I. GOLDSMITH, City Attorney		
4		By s/Timothy C. Stutler TIMOTHY C. STUTLER		
5				
6		Deputy City Attorney Attorneys for Defendants		
7				
8	Dated: January 15, 2015	LAW OFFICES OF JOSEPH M.		
9		MCMULLEN		
10				
11		By <u>/s/ Joseph M. McMullen</u> MICHAEL R. MARRINAN		
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13		Attorneys for Plaintiffs		
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## **Statement of the Case**

This is a lawsuit alleging violation of the Fourth Amendment to the United States Constitution, and alleging state law claims of false arrest, negligence, and violation of plaintiffs' rights by threats, intimidation, or coercion. The plaintiffs are Travis Wilkerson, Victoria Garcia, and Andrew Harlin. The defendants are [the City of San Diego, 1] San Diego police officers Kevin Armentano, Chad Mendenhall, and Gregory Minter, and former San Diego police officer Craig Shumate.

Plaintiffs allege that the defendants falsely arrested them and used unreasonable force during a contact in the Gaslamp District of downtown San Diego on December 3, 2011. Plaintiffs allege that they suffered physical and emotional injuries as a result of the acts of the defendants.

Defendants deny plaintiffs' claims, and also allege that they had probable cause to arrest plaintiffs and that any injuries plaintiffs may have sustained on December 3, 2011 were caused by plaintiffs' own negligence.

<sup>&</sup>lt;sup>1</sup> The issue whether the jury should be told that the City of San Diego is a defendant will be the subject of briefing on January 22, 2015.

## SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Joseph M. McMullen, counsel for Plaintiffs, and that I am authorized to affix Mr. McMullen's electronic signature to this document.

Dated: January 15, 2015 JAN I. GOLDSMITH, City Attorney

By <u>/s/ Timothy C. Stutler</u>
Timothy C. Stutler
Deputy City Attorney

Attorneys for Defendants